

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Cecil E. Hayes
Serial No.: 09/826,326
Filing Date: April 4, 2001
Docket No.: 1050.1101101
For: CAPACITIVE SHIELD FOR CONTAINING RADIOFREQUENCY
MAGNETIC FIELDS

Confirmation No.: 3930

Examiner: B. Souw

Group Art Unit: 2881

Customer No.: 28075

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Mail Stop Amendment
Commissioner for Patents
P.O. Box-1450
Alexandria, VA 22313-1450

AMENDMENT

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: **EV 315613626 US**, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6th day of April 2004.

By Kathleen L. Bockley
Kathleen L. Bockley

Dear Sir:

This paper is in response to the Office Action mailed October 6, 2003, with a shortened statutory period set to expire on January 6, 2004. Concurrently filed herewith is a Petition for a Three-Month Extension of Time, thus extending the period for response to April 6, 2004. Please consider the following amendments and/or remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Appl. No. 09/826,326
Amendment dated April 6, 2004
Reply to Office Action of October 6, 2003

instant specification) describes U.S. Patent No. 4,642,569 to Hayes et al. as an example of this feature. Neither Hayes et al. nor Richard et al. teach the claimed invention.

Once again, the cited combination fails to describe each and every claimed element. For at least this reason, the *prima facie* obviousness case has not been properly established, and therefore, the rejection should be withdrawn. Favorable reconsideration is respectfully requested.

Claims 2, 4-19 and 22-25 depend directly or indirectly from claims 1 or 20. For the reasons discussed above, and because these claims recite additional elements, they are believed patentable.

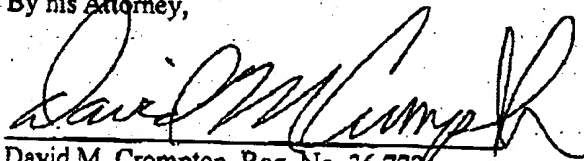
Applicant respectfully traverses the Examiner's rejection of claim 2 under 35 USC § 103(a) as unpatentable over Shimo et al., U.S. Patent No. 6,297,636, in view of Nakabayashi, U.S. Patent No. 5,028,872, and Richard et al., EP 0 724 161 A1, and further in view of Sakakura et al., U.S. Patent No. 5,396,173. Shimo et al., Nakabayashi and Richard et al. are distinguished above as failing to teach the invention of claim 1. Claim 2 depends from claim 1 and adds additional elements. Thus, claim 2 is similarly patentable over the cited references as Sakakura et al. fail to remedy the noted shortcomings of the other references. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Cecil E. Hayes

By his Attorney,



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Date: 4/6/04